

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	Criminal No. 05-30026-MAP
)	
v.)	
)	
)	
CARLOS SALVATE,)	
Defendant.)	

MEMORANDUM PURSUANT TO LOCAL RULE 116.5

The United States of America, by and through its undersigned attorney and Attorney Jeffrey Brown, counsel for Defendant, hereby file this memorandum.

1. The Government has provided or made available all of its discoverable information. There are no outstanding discovery requests from the Defendant in this case.

2. The parties do not anticipate additional discovery as the result of future receipt of information.

3. The defendant does not intend to raise a defense of insanity or public authority.

4. The Defendant has not provided notice of alibi.

5. It is unlikely that the Defendant will file a motion to dismiss, or suppress, or other motion requiring a ruling by the District Court before trial pursuant to Fed. R. Crim. Pro. 12(c).

6. It is not necessary to schedule any matter in the case other than a Pretrial Conference.

7. The parties are currently engaging in plea

negotiations, and the parties anticipate this case to be resolved through a change of plea.

8. The parties agree that no time has run on the Speedy Trial Clock.

9. In the event that a trial is necessary the trial will last approximately 4 days.

10. A date convenient with the Court should be established for Pretrial Conference.

Filed this 17TH day of November, 2005.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

/s/ Paul Hart Smyth
PAUL HART SMYTH
Assistant United States Attorney

Attorney Jeffrey Brown
Counsel for Carlos Salvate